

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

JANE DOES 1-9,

Plaintiffs,

vs.

COLLINS MURPHY, SHARON
HAMMONDS, BRENDA F. WATKINS,
LIMESTONE UNIVERSITY, MG
FREESITES, LTD., d/b/a PORNHUB.COM,
MG FREESITES II LTD., MINDGEEK
S.A.R.L., MINDGEEK USA, INC., MG
BILLING LTD., and HAMMY MEDIA LTD.
d/b/a XHAMSTER.COM, TRAFFICSTARS
LTD., WISEBITS LTD, XHAMSTER IP
HOLDINGS LTD, WISEBITS IP LTD.,

Defendants.

Case No.: 7:20-cv-00947

XHAMSTER IP HOLDINGS, LTD.’S
MOTION TO DISMISS PURSUANT TO
FRCP 12(b)(2) and 12(b)(6)

Pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6), Defendant xHamster IP Holdings, Ltd. (“XIH”) ¹ respectfully moves for the Court to dismiss Plaintiffs’ Fifth Amended Complaint (“FAC”) as it applies to XIH because: (a) the Court lacks personal jurisdiction over XIH, a foreign company registered in the British Virgin Islands with a principal place of business in St. John’s, Antigua; and (b) the FAC fails to state a claim upon which relief may be granted.

In support of this Motion, XIH relies on the accompanying Memorandum of Law.

Respectfully Submitted,

/s/ Hannah Rogers Metcalfe
Hannah Rogers Metcalfe, Fed ID. 9943
Metcalfe & Atkinson, LLC
1395 South Church Street

¹ In February of 2021, XIH changed its name to Online Media IP Holding Ltd. Because the Complaint references XHamster IP Holdings, Ltd, the entity is referred to as “XIH” in this motion.

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November 22, 2022
Greenville, South Carolina